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February 23, 1983
NUMBER 1330.16

ASD(MRA&L)

Department of Defense Directive

SUBJECT: United Seamen's Service

- References: (a) DoD Directive 1330.16, "United Seamen's Service (USS)," July 10, 1971 (hereby canceled)
(b) Title 10, United States Code, Section 2604
(c) DoD Instruction 7600.6, "Audit of Nonappropriated Funds and Related Activities," January 4, 1974
(d) through (j), see enclosure 1

A. REISSUANCE AND PURPOSE

This Directive reissues reference (a) and provides policies, prescribes procedures, and assigns responsibilities governing DoD cooperation with and assistance to the United Seamen's Service (USS) under reference (b).

B. APPLICABILITY AND SCOPE

1. This Directive applies to the Office of the Secretary of Defense, the Military Departments, the Organization of the Joint Chiefs of Staff, and the Unified and Specified Commands (hereafter collectively referred to as "DoD Components").

2. Its provisions shall govern the establishment and operation of USS facilities on military installations in foreign areas.

C. DEFINITION

United Seamen's Service. A nonprofit, charitable organization, incorporated under the laws of the State of New York, established and operated to promote the welfare of U.S. Merchant Seamen located in foreign areas and essential to the overall interests of shipment of U.S. goods and supplies to such areas. The USS mission encompasses a worldwide overseas operation and includes areas where the USS provides services with DoD assistance and approval to U.S. Merchant Seamen engaged in military support of the Armed Forces of the United States.

D. POLICY

It is the general policy of the Department of Defense to cooperate with and assist the USS in the accomplishment of its mission (as defined in section C., above) in overseas areas where U.S. military support operations are a significant activity of a port. Such co-operation and assistance is to aid the USS in establishing and providing facilities, supplies, and services for U.S. Merchant Seamen.

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E. RESPONSIBILITIES

1. The Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) (ASD(MRA&L)) shall determine when to provide the USS assistance in overseas areas, and shall provide such assistance in accordance with this Directive.

2. Heads of DoD Components, or their designees, shall:

a. Maintain purview over the USS organizations located on the installations, facilities, or activities for which responsible, and conduct a periodic review of each USS organization to:

(1) Ensure compliance with this Directive.

(2) Determine conditions under which an audit of the funds of the USS is appropriate as part of an official inquiry in compliance with DoD Instruction 7600.6 (reference (c)).

(3) Obtain reimbursement for support services described in subsection F.5., consistent with DoD Instruction 7230.7 (reference (d)).

b. Approve the loan or rental of government-owned equipment to USS organizations physically located on DoD installations within the limitations imposed by mission, availability, and applicable laws for such use. In such cases, neither appropriated nor nonappropriated funds will be used to repair or otherwise restore DoD equipment which has been used in a temporary or loan basis by a tenant USS organization. Such costs shall be borne by the user.

F. PROCEDURES

1. General Provisions

a. Logistical support shall be provided only when economic conditions or isolated locations are such that support is not available from local civilian sources, cannot be imported from other sources, or is available from local civilian sources or by importation only at prohibitive cost.

b. The terms of any memorandum of understanding reached in accordance with this Directive (see subsection F.4., below) shall be subject to Status of Forces agreement or other international agreements in effect with the country concerned.

c. The USS may not, in its title or letterhead, use the name or seal of the Department of Defense or the acronym "DoD"; the name, abbreviation, or seal of any Military Department or Military Service; or the seal, insignia, or other identifying device of the local installation. However, heads of DoD Components may authorize exceptions if clarity of identification is necessary, provided official DoD sponsorship or endorsement is neither stated nor implied.

d. Activities of USS organizations at DoD facilities will not in any way be permitted to prejudice or discredit DoD Components or other federal agencies.

e. In accordance with DoD Directive 1100.15 (reference (e)), discrimination by the USS with regard to race, color, marital status, age, religion, national origin, lawful political affiliation, labor organization membership, physical handicap, or sex, will not be permitted in employment practices. The USS shall observe applicable laws with respect to labor standards for employment.

f. Discrimination at USS activities based on race, color, national origin, or sex will not be permitted on any DoD installation.

g. Neither appropriated fund activities nor nonappropriated fund instrumentalities shall assert any claim to the assets of, incur, or assume any obligation of the USS except as may possibly arise out of contractual relationship. Property abandoned by USS organizations after disestablishment on DoD installations, or donated by the USS to those installations, may be acquired by the DoD installation under the terms of existing DoD policy on these matters and consistent with the laws applicable to that installation.

h. The USS shall secure adequate insurance to protect against public liability and property damage claims or other legal action that may arise as a result of activities of the USS or one or more of its members acting on its behalf. DoD Components will not assume liability for any activities of USS organizations located on DoD facilities nor for the protection of USS assets through insurance or other means.

i. USS organizations established on military installations in foreign areas are expected to be generally self-sustaining. There will be no direct financial assistance to USS from a DoD nonappropriated fund instrumentality in the form of contributions, dividends, or other donations of monies or other assets.

j. The nature, function, and objectives of USS organizations shall be delineated in writing and submitted for the approval by the heads of DoD installations on which USS organizations are to be located. These written provisions shall be in the form of a duly prepared constitution, bylaws, charter, articles of agreement, or other authorization documents. Documentation also shall provide for:

(1) Establishment of patron eligibility rules.

(2) Designation of management responsibilities, including accountability for assets, satisfaction of liabilities, disposition of any residual assets upon dissolution, and other assurances of responsible financial management.

k. Income will not accrue to individuals, except through wages and salaries as employees of the USS or through remuneration for services rendered, and shall be derived primarily for the purpose of offsetting expenses of operation, which may include competitive awards or charitable contributions contemplated by the USS organizations.

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1. Patronage in USS clubs by DoD personnel is subject to the written approval of the local installation commander responsible for the base, facility, installation, or camp on which the USS club is located. Patronage by other than DoD personnel and U.S. Merchant Seamen is subject to host country and Status of Forces agreements.

2. Establishment of DoD-supported USS Facilities. Requests from the U.S. Armed Forces, the Maritime Administration of the Department of Transportation, and the USS for the establishment and support of USS club buildings and recreational areas in overseas locations shall be forwarded to the Commander, Military Sealift Command (MSC), for comment, and to the ASD(MRA&L) for approval. All requests shall be justified fully and shall indicate the expected or available support.

3. Inspections

a. The Military Department that is assigned logistical and administrative support responsibilities for the area concerned, under DoD Directive 5100.3 (reference (f)), shall arrange for issuance of invitational travel orders, theater clearance, and other operational and administrative details to facilitate the inspection of USS facilities and activities by USS personnel. Direct communication between the Military Departments and the USS is authorized for this purpose.

b. Local commanders shall review continually facilities operated and services rendered by the USS to ensure that operations comply with agreements as outlined in subsection F.4., below. Issues not resolved locally shall be forwarded through command channels to the Commander, MSC, for appropriate action. Policy questions shall be referred to the ASD(MRA&L).

4. Memorandum of Understanding. Support provided to the USS by local commanders shall be in accordance with a formal memorandum of understanding signed by the director of the USS organization concerned, and the commander or designee. The memorandum of understanding shall:

a. Remain in effect for a specified period but not less than 1 nor more than 3 years, and shall be reviewed annually. Notwithstanding the period of the agreement or the annual review requirement, the agreement shall remain in effect as long as there has been no change that would alter significantly the basis on which the support is provided. If there is a change that significantly alters the basis on which support is required, the agreement shall be renegotiated or terminated.

b. Include, but not be limited to, the following determinations:

(1) Whether the nature of support to be provided by the local commander is to be cost-free or reimbursable.

(2) Limitations on currency exchange.

(3) Provisions for inspections by the local commander to ensure compliance with:

(a) The agreement established under the provisions of paragraph F.4.a., above.

(b) The Status of Forces agreement, if any, or other agreements in effect with the country concerned.

(4) Applicability of regulations of the Military Service on whose installation the USS facility is located.

(5) Duration of the agreement and provisions for its review and renegotiation.

(6) Provisions for determining that the USS organization is in compliance with all laws governing comparable private sector activities.

5. Support

a. To the USS. DoD support shall be limited to the supplies and services that are necessary to accomplish the USS mission and what, in the judgment of the local commander, can be made available under existing circumstances (such as availability of space) and Military Department criteria, without detriment to DoD mission accomplishment.

b. To USS Personnel. The following support shall be provided to USS personnel when it is requested and is available, as determined by the local commander, after applying the policy and criteria in paragraphs F.1.a. and F.5.a., above; and is not restricted by the terms of any memorandum of understanding (see subsection F.4., above):

(1) Air transportation may be provided for USS employees between the continental United States (CONUS) and overseas, and in overseas areas when the travel provides direct service to the Armed Forces and is at the invitation of the overseas commander. Requests for transportation shall be processed in accordance with DoD 4515.13-R (reference (g)).

(2) Commissary store and exchange privileges, as may be limited by the local commander.

(3) Armed Forces Postal Service privileges (under DoD Directive 4525.6 (reference (h))).

(4) Emergency hospitalization and medical care on a reimbursable basis.

(5) Recreational facilities.

(6) Dependent's quarters and schools on a reimbursable basis.

(7) Vehicle registration.

(8) Appropriate identification cards.

(9) Meals and quarters on a reimbursable basis.

(10) Use of military communication networks for official purposes, free of charge. Any associated message refile or commercial charges to the military shall be on a reimbursable basis.

c. Under the criteria outlined in paragraphs F.4.a. and F.5.a., above, the following support may be provided to USS facilities on a reimbursable basis. This list does not limit the categories of support that may be provided; however, any support provided hereunder shall be on a cost-reimbursable basis:

(1) Consumable supplies from the Army self-service supply stores or Navy servmarts.

(2) General supplies from the Army depots or Navy supply depots.

(3) Subsistence items from military commissary stores and Army Class I (ration breakdown) depot or Navy supply depot for resale in the form of prepared meals, snacks, sandwiches, and salads, for consumption on the premises of the USS facility.

(4) Local fresh fruits and vegetables procured with an Army or Navy blanket purchase agreement contract.

(5) Military Exchange items, such as cigarettes and other tobacco products, beer and soft drinks for consumption on the premises of the USS facility; newspapers, books, magazines, toiletries, and other necessities for resale in the gift shops of the facility in locations where such items are not available from local civilian sources, or, if available, are sold at prohibitive costs.

(6) USS club purchase of alcoholic beverages from military package stores or installation central procurement source in accordance with DoD 1015.3-R (reference (i)) for consumption on the premises of USS facilities.

(7) Bulk purchase of U.S. postage stamps.

(8) Laundry and dry cleaning service for such items as linens and tablecloths.

(9) Liquified petroleum gas for galley ranges.

(10) Electricity, water, and sewage disposal service.

(11) Telephone service.

(12) Gasoline and oil for USS vehicles.

(13) Repair of USS vehicles by Army or Navy automotive repair facilities.

(14) Repair of office equipment, such as typewriters and calculators, by use of Army or Navy blanket purchase agreement or contract.

(15) Repair and overhaul of air conditioners, television sets, radios, motion picture projectors, or tape recorders, by use of an Army or Navy blanket purchase agreement or contract.

(16) Building and facility maintenance and repair.


(17) Technical assistance in the review of construction plans.

d. Supplies for USS facilities and activities including gifts for purchase by Merchant Seamen may be transported by the DoD transportation system under DoD 4500.32-R (reference (j)).

e. Current Support Agreements. Support agreements now in effect shall be reviewed and revised as necessary to ensure compliance with the Directive.

G. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Forward two copies of implementing documents to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days.


PAUL THAYER
Deputy Secretary of Defense

Enclosure - 1
References

REFERENCES, continued

- (d) DoD Instruction 7230.7, "User Charges," June 12, 1979
- (e) DoD Directive 1100.15, "The Department of Defense Equal Opportunity Program," June 3, 1976
- (f) DoD Directive 5100.3, "Support of the Headquarters of Unified, Specified, and Subordinate Joint Commands," March 17, 1980
- (g) DoD 4515.13-R, "Air Transportation Eligibility," January 1980, as authorized by DoD Directive 4515.13, June 26, 1979.
- (h) DoD Directive 4525.6, "Single Manager for Military Postal Service," May 5, 1980
- (i) DoD 1015.3-R, "Armed Services Military Club and Package Store Regulations," May 1982, as authorized by DoD Directive 1015.3, May 14, 1982.
- (j) DoD 4500.32-R, "Military Standard Transportation and Movement Procedures (MILSTAMP)," August 1, 1979, as authorized by DoD Directive 4000.25, November 12, 1976

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ATTACHMENTS None

INSTRUCTIONS FOR RECIPIENTS

The following pen change to DoD Directive 1330.16, "United Seamen's Service," February 23, 1983, is authorized:

PEN CHANGE

Page 6, subparagraph F.5.c.(10). Delete the entire subparagraph. Renumber subparagraphs F.5.c.(11) through (17) to read (10) through (16).

EFFECTIVE DATE

The above change is effective immediately.

James L. Elmer, Colonel, USAF
O. J. WILLIFORD, Director
for Correspondence and Directives

WHEN PRESCRIBED ACTION HAS BEEN TAKEN, THIS TRANSMITTAL SHOULD BE FILED WITH THE BASIC DOCUMENT